IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 4463 (SS) OF 2001

1. Atul Kumar Sharma, S/o late Mr. Gopal Sharma, R/o Jaspur, District Udham Singh Nagar.
2. Amrit Singh, S/o Mr. Kallu Singh, R/o Village Baryowala, Tehsil Kashipur, District Udham Singh Nagar.
3. Virendra Singh, S/o Mr. Daya Ram, R/o Jaspur, District Udham Singh Nagar.
4. Jai Singh, S/o Mr. Sher Singh, R/o Village Ramnagarwan Tehsil Kashipur, District Udham Singh Nagar.
5. Vinod Kumar Sharma, S/o late Mr. Raghunandan Prasad Sharma, R/o Jaspur, District Udham Singh Nagar.
6. Udayweer Singh, S/o Mr. Om Prakash Singh, R/o Village Maghwala, Tehsil Kashipur, District Udham Singh Nagar.
7. Promod Kumar, S/o Mr. Kirpal Singh, R/o Kashipur, District-Udham Singh Nagar.
8. Mrs. Chitra Devi, W/o Mr. Jai Singh, Village Ramnagar Wan, Tehsil Kashipur, District-Udham Singh Nagar.

.....Petitioners.

Versus

1. State of Uttaranchal, through Secretary, Education, Dehradun.
2. Assistant Director Education Nainital.
3. Zila Basic Shiksha Adhikari, District-Udham Singh Nagar.

4. Principal Zila Shiksha and Parshikshar Sansthan Bhimtal, Nainital. .....Respondents.

Dated: 13.06.2006

Hon'ble Rajesh Tandon, J.

Heard Shri Khalil Ahmad, Advocate for the petitioners and Standing counsel for the respondents.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding and directing the respondents to appoint the respondents as an Assistant Teacher in Prathmik Vidhyalaya. Further prayer has been made for a writ of mandamus directing the respondents to consider the case of the petitioners for the appointment of the petitioner as an Assistant Teacher in Prathmik Vidhyalaya and for the appointment of the petitioners for Vishishth B.T.C. Prasikshar.

On 11.02.2005, following interim order was passed:-

"*Heard learned counsel for the parties.*

By order dated 24.02.2004 this court directed respondents to consider the candidatures of the petitioners for special BTC. In pursuance to that order petitioners were permitted to undergo the training and now, they have completed the training of Special BTC.

Learned counsel for the petitioners has submitted that result of the Special BTC Training Examination has been declared but the result of the petitioner no. 1 has not been declared.

Since the petitioner no. 6 has already completed the training, respondents are directed to declare the result of the petitioners no. 10 and 11, provisionally, provided petitioner no.6 has completed their training successfully and if he is

selected for appointment to the cost of Assistant Teacher in Primary school be subject to the decision of the writ petition.

Application is disposed of accordingly.

List the matter in the first week of March, 2005 along with Writ Petition No. 708 (SB) of 2002.

In the meantime, learned standing counsel may file counter affidavit."

Pursuant to the aforesaid interim order, the result of the petitioners was declared and thereafter, they have also been given appointment and have/joined the same and were found successful.

In view of the aforesaid facts and circumstances, the writ petition is disposed of.

(Rajesh Tandon, J.)

13.06.2006

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